



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2010-0149

1

RESPONSE TYPE FINAL PARTIAL

REQUESTER

John Butler

DATE

APR - 7 2010

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES **A,B** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738.
- APPENDICES Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

- AMOUNT * You will be billed by NRC for the amount listed. None. Minimum fee threshold not met.
- \$ You will receive a refund for the amount listed. Fees waived.

* See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

The actual fees for processing your request are:

2 hrs. professional review @ \$56.36 per hr. = \$112.72

Total = \$112.72 (Payment Received)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing
Donna L. Sealing

**APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	5/16/04	Management Directive 10.159 (37 pages)
2.	10/6/08	Differing Professional Opinion, DPO-2008-001 (9 pages)
3.	10/6/08	E-Mail from Pedersen to Borchardt, Notification of New DPO (1 page)
4.	10/6/08	E-Mail from Pedersen to Architzel, Acceptance of DPO (1 page)
5.	10/16/08	Memo to Leeds from Pedersen, Differing Professional Opinion Involving Closure Process for Generic Safety Issue-191 (DPO-2008-001) (13 pages)
6.	11/4/08	Memo to Bailey et al., from Leeds, Ad Hoc Review Panel – Differing Professional Opinion Concerning Closure Process for Generic Safety Issue-191 (DPO-2008-001) (4 pages)
7.	5/27/09	Memo to Architzel from Leeds, Differing Professional Opinion Decision Concerning Closure Process for Generic Safety Issue-191 (DPO-2008-001) (6 pages)
8.	6/11/09	E-Mail from Architzel to Pedersen, DPO Decision; Next Steps (1 page)
9.	6/15/09	E-Mail from Carpenter to Pedersen, DPO Decision; Next Steps (3 pages)
10.	6/23/09	Differing Professional Opinion – Appeal, DPO-2008-001 (5 pages)
11.	6/25/09	Memo to Leeds from Pedersen, Differing Professional Opinion Involving Closure Process for Generic Safety Issue-191 (DPO-2008-001) (5 pages)
12.	6/26/09	Memo to Ruland from Leeds, Taskings as a Result of Differing Professional Opinion Decision Concerning Closure Process for Generic Safety Issue-191 (DPO-2008-001) (9 pages)
13.	7/9/09	Memo to Borchardt from Leeds, Statement of Views Regarding Appeal of Differing Professional Opinion Concerning Generic Safety Issue-191 (DPO-2008-001) Appeal (1 page)

14. 7/15/09 Memo to Borchardt from Pedersen, Differing Professional Opinion Involving Closure Process for Generic Safety Issue-191 (DPO-2008-001) (3 pages)
15. 7/20/09 Memo to Ruland from Leeds, Taskings as a Result of Differing Professional Opinion Decision Concerning Closure Process For Generic Safety Issue-191 (DPO-2008-001) (2 pages)
16. 8/4/09 Memo to Scott from Golla, Summary of June 23, 2009, Public Meeting with the Pressurized Water Reactor Owner's Group (PWROG), Licensees, and the Nuclear Energy Institute (NEI) To Discuss the Resolution of Generic Safety Issue (GSI)-191 (35 pages)
17. 11/20/09 Memo to Architzel from Borchardt, Decision on Differing Professional Opinion Appeal Concerning Closure Process for Generic Safety Issue-191 (DPO-2008-001) (12 pages)
18. 3/9/10 E-Mail from Architzel to Pedersen, Request Public Release Of DPV Concerning Closure Process for GSI-191 file documents (4 pages)
19. 3/19/09 Memo to Leeds from Bailey et al, Differing Professional Opinion Panel Report Concerning Closure Process for Generic Safety Issue-191 (DPO-2008-001) (12 pages)
20. Undated DPO Appeal Process Checklist (3 pages)
21. Undated Executive Summary (12 pages)
22. Undated OEDO Desk Guide for Differing Professional Opinions (DPO) Appeals (5 pages)

APPENDIX B
RECORDS WITHHELD IN PART

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	6/12/09	E-Mail from Carpenter to Leeds, DPO Decision: Next Step (2 pages) PORTIONS OUTSIDE SCOPE